IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA)) 8:10CR52)	
Plaintiff,		
vs.) DETENTION ORDER	
THOMAS E. CARODINE,) }	
Defendant.)	
A. Order For Detention After waiving a detention hearing pursuant Act on February 24, 2010, the Court orde pursuant to 18 U.S.C. § 3142(e) and (i).		
conditions will reasonably assure the	because it finds: nce that no condition or combination of appearance of the defendant as required. t no condition or combination of conditions	
distribute marijuana (Coura minimum sentence of fire forty imprisonment; the marijuana (Count II) in virtual maximum sentence of five maximum sent	nd includes the following: e offense charged: to distribute and possess with intent to nt I) in violation of 21 U.S.C. § 846 carries we years imprisonment and a maximum of e possession with intent to distribute colation of 21 U.S.C. § 841(a)(1) carries a re years imprisonment violence. arcotic drug. arge amount of controlled substances, to inst the defendant is high. of the defendant including: uppears to have a mental condition which ner the defendant will appear. as no family ties in the area. as no steady employment. as no substantial financial resources. not a long time resident of the community. lices not have any significant community.	

DETENTION ORDER - Page 2

		 X The defendant has a history relating to drug abuse. X The defendant has a history relating to alcohol abuse. X The defendant has a significant prior criminal record.
		The defendant has a prior record of failure to appear at court proceedings.
	(b)	At the time of the current arrest, the defendant was on:
	(-)	Probation
		Parole
		Release pending trial, sentence, appeal or completion of sentence.
	(c)	Other Factors:
		The defendant is an illegal alien and is subject to deportation.
		The defendant is a legal alien and will be subject to
		deportation if convicted.
		The Bureau of Immigration and Custom Enforcement
		(BICE) has placed a detainer with the U.S. Marshal Other:
Χ ((4) The i	nature and seriousness of the danger posed by the defendant's
\	· ,	se are as follows: The nature of the charges in the Indictment, the
		idant's extensive criminal history, and the outstanding arrest warrants
	in Do	uglas County.
Χ ((5) Rebu	ttable Presumptions
		termining that the defendant should be detained, the Court also relied
	on th	e following rebuttable presumption(s) contained in 18 U.S.C. §
	31420	
<u>-</u>		(e) which the Court finds the defendant has not rebutted: That no condition or combination of conditions will reasonably
-		(e) which the Court finds the defendant has not rebutted: That no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety
-		(e) which the Court finds the defendant has not rebutted: That no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of any other person and the community because the Court finds that
-		(e) which the Court finds the defendant has not rebutted: That no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of any other person and the community because the Court finds that the crime involves:
-		(e) which the Court finds the defendant has not rebutted: That no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of any other person and the community because the Court finds that
-		(e) which the Court finds the defendant has not rebutted: That no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of any other person and the community because the Court finds that the crime involves: (1) A crime of violence; or (2) An offense for which the maximum penalty is life imprisonment or death; or
-		(e) which the Court finds the defendant has not rebutted: That no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of any other person and the community because the Court finds that the crime involves:
-		(e) which the Court finds the defendant has not rebutted: That no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of any other person and the community because the Court finds that the crime involves:
-		(e) which the Court finds the defendant has not rebutted: That no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of any other person and the community because the Court finds that the crime involves:
-		 (e) which the Court finds the defendant has not rebutted: That no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of any other person and the community because the Court finds that the crime involves:
-		(e) which the Court finds the defendant has not rebutted: That no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of any other person and the community because the Court finds that the crime involves:
	<u>X</u> (a)	(e) which the Court finds the defendant has not rebutted: That no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of any other person and the community because the Court finds that the crime involves:
-	<u>X</u> (a)	(e) which the Court finds the defendant has not rebutted: That no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of any other person and the community because the Court finds that the crime involves:
-	<u>X</u> (a)	(e) which the Court finds the defendant has not rebutted: That no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of any other person and the community because the Court finds that the crime involves:
-	<u>X</u> (a)	(e) which the Court finds the defendant has not rebutted: That no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of any other person and the community because the Court finds that the crime involves:

DETENTION ORDER - Page 3

X (1) That the defendant has committed a controlled substance violation which has a maximum penalty of 10 years or more.

10 years or more

(2) That the defendant has committed an offense under 18 U.S.C. § 924(c) (uses or carries a firearm during and in relation to any crime of violence, including a crime of violence, which provides for an enhanced punishment if committed by the use of a deadly or dangerous weapon or device).

D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

- The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: February 25, 2010.

BY THE COURT:

s/Thomas D. Thalken United States Magistrate Judge